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DEFENDANT'S
EXHIBIT

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January 24, 2024

Via Email

James H. Freeman

Craig Sanders

Sanders Law Group

333 Earle Ovington Blvd., Suite 402

Uniondale, NY 11553

Re: Global Weather Productions, LLC v. Joe Pags Media, LLC

Dear Messrs. Freeman and Sanders:

I write in reference to my letter of December 22, 2023 (attached), and the recent docket entry in the above-styled action, reflecting the Plaintiff's attempt at service of process on the Defendant.

Inasmuch as we have yet to receive a reply to my initial letter, I write to inquire as to the Plaintiff's intentions in proceeding against Joe Pags Media, LLC, given Mr. Freeman's "Certificate of Service" filed on January 19, 2024, Docket Entry No. 7. Regardless of whether the attempted service occurred only to avoid dismissal under Rule 4(m), it is critical that we know the Plaintiff's intentions regarding my December 22nd letter, so that any unnecessary expense in responding to the Complaint in the Western District of Texas may be avoided¹. Proceeding there, in the face of the statements contained in my December 22nd letter, implicates Rule 11 and/or 28 U.S.C. § 1927.

We, therefore, ask for your prompt response to this and our earlier correspondence.

Sincerely,

McHALE & SLAVIN, P.A.

Edward F. McHale
EFM/ac

¹Uncertain as to the reasons for "attempted" service on the Defendant, the Certificate filed by Mr. Freeman indicates that service may well be deficient and, therefore, void. *See, e.g., Petreko-Gunter v. Upchurch*, No. 3:04-cv-2691-D, 2005 U.S. Dist. LEXIS 15132, *10-12 (N.D. Tex. July 22, 2005) (addressing improper service by an unauthorized person and failure to file effective return of service); *Manning v. Paramount*, No. 6:23-cv-00444-JCB-JDL, 2023 U.S. Dist. LEXIS 209469, *3-4 (E.D. Tex. Sept. 29, 2023) ("The persons authorized by state law to serve process absent a court order are the sheriff, the constable, and the Clerk of the Court. Both state and federal law prohibit the plaintiff from personally serving process, including by mail.")